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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3506/83

of 12 December 1983

amending Regulation (EEC) No 950/68 on the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas, during the 1973 tariff re-negotiations following the accession of Denmark, Ireland and the United Kingdom, the Community bound the customs duties on sound reproducers falling within subheading 92.11 A II of the Common Customs Tariff at a rate of 9,5 % ; whereas that binding is contained in the European Economic Community's schedule LXXII-EEC annexed to the General Agreement on Tariffs and Trade ;

Whereas it appeared advisable to modify this concession with a view to regulating trade patterns in sound reproducers and to guarantee in an orderly fashion the harmonious development of the market ; whereas, to that end the Commission notified the GATT of the Community's intention to renegotiate the concession on sound reproducers ;

Whereas it has not been possible to arrive at an agreement with the main supplier ;

Whereas, under Article XXVIII (3) (a) of the GATT, the Community, in the absence of agreement between the parties primarily concerned, is free to modify the concession in question ;

Whereas the Council has approved the Commission recommendation temporarily to raise the tariff concession on certain sound reproducers falling within subheading 92.11 A II to 19 % from 1 January 1984 and, by way of compensation, to reduce temporarily the tariff concession on certain combined apparatus falling within subheading 92.11 A III to zero from 1 January 1984 ;

Whereas these amendments should therefore be made to the Common Customs Tariff annexed to Regulation (EEC) No 950/68 ⁽¹⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The Common Customs Tariff annexed to Regulation (EEC) No 950/68 is hereby amended as follows :

⁽¹⁾ OJ No L 172, 22. 7. 1968, p. 1.

CCT heading No	Description	Rate of duty	
		Autonomous %	Conventional %
92.11	Gramophones, dictating machines and other sound recorders or reproducers, including record players and tape decks, with or without sound-heads; television image and sound recorders or reproducers:		
	A. Sound recorders or reproducers:		
	I. (unchanged)	(unchanged)	(unchanged)
	II. Sound reproducers:		
	a) Sound reproducers with laser optical reading system	19	19
	b) Other	19	9,5
	III. Combined sound recorders and reproducers:		
	a) using magnetic tapes on reels, excluding cassettes, and allowing sound recording or reproduction either at a single speed of 19 cm per second or at several speeds if those comprise only 19 cm per second and lower speeds	16	exemption
	b) other	16	7,6
	B. (unchanged)	(unchanged)	(unchanged)

Article 2

This Regulation shall enter into force on 1 January 1984.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 12 December 1983.

For the Council

The President

C. SIMITIS

COMMISSION REGULATION (EEC) No 3507/83

of 13 December 1983

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1451/82⁽²⁾, and in particular
Article 13 (5) thereof,

Having regard to Council Regulation No 129 on the
value of the unit of account and the exchange rates to
be applied for the purposes of the common agricul-
tural policy⁽³⁾, as last amended by Regulation (EEC)
No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas, the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2157/83⁽⁵⁾ and subsequent amending
Regulations ;

Whereas, if the levy system is to operate normally,
levies should be calculated on the following basis :

— in the case of currencies which are maintained in
relation to each other at any given moment within

a band of 2,25 %, a rate of exchange based on
their central rate,

— for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of
these currencies in relation to the Community
currencies referred to in the previous indent ;

Whereas these exchange rates being those recorded on
12 December 1983 ;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2157/83 to today's
offer prices and quotations known to the Commission
that the levies at present in force should be altered to
the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products listed in
Article 1 (a), (b) and (c) of Regulation (EEC) No
2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 December
1983.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 13 December 1983.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 206, 30. 7. 1983, p. 47.

ANNEX

to the Commission Regulation of 13 December 1983 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
CCT heading No	Description	Levies
10.01 B I	Common wheat, and meslin	87,33
10.01 B II	Durum wheat	119,13 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	75,08 ⁽⁶⁾
10.03	Barley	60,71
10.04	Oats	39,88
10.05 B	Maize, other than hybrid maize for sowing	56,54 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	35,10 ⁽⁴⁾
10.07 C	Grain sorghum	72,17 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	135,52
11.01 B	Rye flour	119,20
11.02 A I a)	Durum wheat groats and meal	198,06
11.02 A I b)	Common wheat groats and meal	145,11

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 435/80, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 3508/83

of 13 December 1983

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1451/82⁽²⁾, and in particular
Article 15 (6) thereof,

Having regard to Council Regulation No 129 on the
value of the unit of account and the exchange rates to
be applied for the purposes of the common agricul-
tural policy⁽³⁾, as last amended by Regulation (EEC)
No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2158/83⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally,
levies should be calculated on the following basis:

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2,25 % a rate of exchange based on their
central rate,

- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of
these currencies in relation to the Community
currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on
12 December 1983;

Whereas on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in
force, which are to be added to the levies, should be
altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation
(EEC) No 2727/75 to be added to the import levies
fixed in advance in respect of cereals and malt shall be
as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 December
1983.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 13 December 1983.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 206, 30. 7. 1983, p. 50.

ANNEX

to the Commission Regulation of 13 December 1983 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 12	1st period 1	2nd period 2	3rd period 3
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	3,68	3,68	0,61
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	6,13
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3509/83

of 12 December 1983

extending Commission Regulation (EEC) No 1888/83 making the import of certain textile products originating in Argentina subject to Community surveillance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports ⁽¹⁾, and in particular Article 10 thereof,

After consulting the advisory committee established under the said Regulation,

Whereas imports into the Community of textile products originating in Argentina and a large number of other supplier countries in a situation similar to Argentina have been subject to a special import regime under the terms of bilateral agreements which expired on 31 December 1982; whereas such agreements provided *inter alia* procedures whereby imports of such products could be limited and monitored;

Whereas the Community has negotiated new bilateral agreements with the other supplier countries whereby imports of textile products are subject to a similar special import regime as from 1 January 1983;

Whereas there is no such agreement with Argentina; whereas import of such products are not subject to specific common import rules from 1 January 1983;

Whereas, as from 1 January 1983, a Community surveillance of imports of certain textile products originating in Argentina was introduced by Commission Regulations (EEC) No 3605/82 ⁽²⁾ and (EEC) No 1888/83 ⁽³⁾;

Whereas the situation which led to the introduction of the said surveillance system still exists; whereas that system should therefore remain in force,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1888/83 is hereby extended until 31 December 1984.

Article 2

This Regulation shall enter into force on 1 January 1984.

It shall apply until 31 December 1984.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 12 December 1983.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No L 376, 31. 12. 1982, p. 36.

⁽³⁾ OJ No L 187, 12. 7. 1983, p. 31.

COMMISSION REGULATION (EEC) No 3510/83
of 12 December 1983
on arrangements for imports into Ireland of certain textile products (category 31)
originating in Thailand

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3589/82 of 23 December 1982 on common rules for imports of certain textile products originating in third countries⁽¹⁾, and in particular Article 11 thereof,

Whereas Article 11 of Regulation (EEC) No 3589/82 lays down the conditions under which quantitative limits may be established; whereas imports into Ireland of textile products of category 31 specified in the Annex hereto and originating in Thailand exceeded the level referred to in paragraph 3 of the said Article 11;

Whereas, in accordance with paragraph 5 of the said Article 11 of Regulation (EEC) No 3589/82, Thailand was notified on 4 July 1983 of a request for consultations;

Whereas, pending the outcome of the requested consultations, imports into Ireland were made subject to a provisional quantitative limit for the period 4 July to 3 October 1983 by Commission Regulation (EEC) No 2102/83 of 25 July 1983⁽²⁾;

Whereas, as a result of these consultations, it was agreed to make the textile products in question subject to quantitative limits for the years 1984 to 1986;

Whereas paragraph 13 of the said Article 11 provides for compliance with the quantitative limits to be

ensured by means of a double-checking system in accordance with Annex VI to Regulation (EEC) No 3589/82;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Textile Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Imports into Ireland of the category of products originating in Thailand specified in the Annex hereto shall be subject to the quantitative limits set out in that Annex.

Article 2

Imports of products shipped from Thailand to Ireland from 1 January 1984 shall be subject to the double-checking system described in Annex VI to Regulation (EEC) No 3589/82.

Article 3

This Regulation shall enter into force on 1 January 1984.

It shall apply until 31 December 1986.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 12 December 1983.

For the Commission
Wilhelm HAFERKAMP
Vice-President

⁽¹⁾ OJ No L 374, 31. 12. 1982, p. 106.

⁽²⁾ OJ No L 204, 28. 7. 1983, p. 29.

ANNEX

Category	CCT heading No	NIMEXE code (1983)	Description	Third country	Member State	Units	Quantitative limits from 1 January to 31 December
31	61.09 D	61.09-50	Corsets, corset-belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabrics), whether or not elastic : Brassières, woven, knitted or crocheted	Thailand	IRL	1 000 pieces	1984 : 25 1985 : 27 1986 : 28

COMMISSION REGULATION (EEC) No 3511/83
of 13 December 1983

**amending Regulation (EEC) No 1844/77 on the granting by tender of special aid
for skimmed-milk powder intended as feed for animals other than young calves**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 1600/83 ⁽²⁾, and in particular
Article 10 (3) thereof,

Whereas Article 1 (1) of Commission Regulation
(EEC) No 1844/77 ⁽³⁾, as last amended by Regulation
(EEC) No 1426/83 ⁽⁴⁾, provides for the granting of
special aid for skimmed-milk powder that meets
certain requirements and is to be used as feed for
animals other than young calves; whereas the
skimmed-milk powder quality requirements set out in
Annex I to Commission Regulation (EEC) No
625/78 ⁽⁵⁾, as last amended by Regulation (EEC) No
2549/83 ⁽⁶⁾, have been adjusted; whereas the wording
of Article 1 (1) of Regulation (EEC) No 1844/77
should in consequence also be adjusted;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Management
Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (1) of Regulation (EEC) No 1844/77 is hereby
replaced by the following:

'1. Without prejudice to the provisions set out
below, special aid shall be granted for skimmed-milk
powder that either:

- meets the requirements set out at point 1 of
Annex I to Regulation (EEC) No 625/78 (with
the exception of the requirements given at (b),
(i) and (k)), these requirements having been
checked by the methods set out at point 2 of
Annex I and in Annex IV to that Regulation,
or
- has been produced from buttermilk as defined
in Article 1 (b) and (d) of Regulation (EEC) No
986/68.

The skimmed-milk powder specified in the first
subparagraph may have a water content of more
than 4 %, in accordance with the conditions set
out in paragraph 5.

The products specified in the first subparagraph
may not be denatured or directly incorporated
unless they are used separately.

The products given by denaturing and/or direct
incorporation may, in addition to the products
resulting from the operation, contain only one of
the two products specified in the first subpara-
graph.'

Article 2

This Regulation shall enter into force on the third day
following its publication in the *Official Journal of the
European Communities*.

It shall apply from 1 January 1984.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 13 December 1983.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.
⁽²⁾ OJ No L 163, 22. 6. 1983, p. 56.
⁽³⁾ OJ No L 205, 11. 8. 1977, p. 11.
⁽⁴⁾ OJ No L 145, 3. 6. 1983, p. 21.
⁽⁵⁾ OJ No L 84, 31. 3. 1978, p. 19.
⁽⁶⁾ OJ No L 252, 13. 9. 1983, p. 5.

COMMISSION REGULATION (EEC) No 3512/83

of 13 December 1983

amending Regulation (EEC) No 2729/81 with regard to advance fixing of the refund on the sugar component of certain milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1600/83 ⁽²⁾, and in particular Articles 13 (3) and 17 (4) thereof,

Whereas Article 8 of Regulation (EEC) No 2729/81 of 14 September 1981 laying down special rules implementing the system of import and export licences and the advance fixing of refunds in respect of milk and milk products ⁽³⁾, as last amended by Regulation (EEC) No 664/83 ⁽⁴⁾, states that applications for export licences with advance fixing of the refund in respect of any of the products referred to in Article 1 of Regulation (EEC) No 804/68 that are lodged on a Thursday shall be regarded as having been lodged on the first working day after the Thursday in question ;

Whereas, in accordance with Article 13 of Regulation (EEC) No 2729/81, in the case of products falling within subheading 04.02 B of the Common Customs Tariff, the licence may, at the request of the applicant, be issued in respect of the sugar component only ;

Whereas Thursday is not a determining day for adjustment of the refund level in the sugar sector and since

this level is adjusted more frequently than in the milk sector, it should again be made possible to fix the refund on the sugar component of the products in question in advance on a Thursday ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION :

Article 1

The following subparagraph is hereby added to Article 8 (2) of Regulation (EEC) No 2729/81 :

'However, in cases where, in accordance with Article 13, application for export licences relate only to advance fixing of the refund on the sugar component of a product falling within subheading 04.02 B of the Common Customs Tariff, the provisions of the first subparagraph covering applications lodged on Thursdays shall not apply.'

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 December 1983.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 56.

⁽³⁾ OJ No L 272, 26. 9. 1981, p. 19.

⁽⁴⁾ OJ No L 78, 24. 3. 1983, p. 13.

COMMISSION REGULATION (EEC) No 3513/83
of 13 December 1983
amending Regulation (EEC) No 368/77 on the sale by tender of skimmed-milk
powder for use in feed for animals other than young calves

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 1600/83 ⁽²⁾, and in particular
Article 7 (5) thereof,

Whereas Article 12 (3) of Commission Regulation
(EEC) No 368/77 ⁽³⁾, as last amended by Regulation
(EEC) No 2342/83 ⁽⁴⁾, states that if the quantity of
skimmed-milk powder available in a store is less than
that for which the tender was made, the contract shall
be awarded for the quantity available only; whereas in
order to allow tenderers to obtain the full amount of
skimmed-milk powder specified in their tenders it
should be made possible for the intervention agency,
in agreement with the tenderer, to designate other
stores from which the quantity applied for will be
made up; whereas the Article in question should
therefore be adjusted;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Management
Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is hereby added to Article
12 (3) of Regulation (EEC) No 368/77:

'However, by way of derogation from Article 9 (2),
the intervention agency may, in agreement with
the tenderer designate other stores from which the
quantity specified in the tender is to be made up.'

Article 2

This Regulation shall enter into force on the third day
following its publication in the *Official Journal of the
European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 13 December 1983.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 56.

⁽³⁾ OJ No L 52, 24. 2. 1977, p. 19.

⁽⁴⁾ OJ No L 225, 18. 8. 1983, p. 11.

COMMISSION REGULATION (EEC) No 3514/83
of 13 December 1983

amending Regulations (EEC) No 2191/81 and (EEC) No 2192/81 concerning the granting of aid for the purchase of butter by non-profitmaking institutions and organizations and by the armies and similar forces of the Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1600/83 ⁽²⁾, and in particular Article 12 (3) thereof,

Whereas the voucher mentioned in Article 3 of Commission Regulation (EEC) No 2191/81 ⁽³⁾, as last amended by Regulation (EEC) No 1446/83 ⁽⁴⁾, is to be valid only from the first day of the calendar month; whereas the butter cannot be taken over until after that date; whereas experience of the scheme has shown that it is necessary to put forward that date in order to make it possible for deliveries of butter to be made earlier; whereas the period during which butter can be taken over should therefore be adjusted; whereas this provision also appears in Commission Regulation (EEC) No 2192/81 ⁽⁵⁾, as last amended by Regulation (EEC) No 1446/83; whereas the same amendment should also be made in that Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

Article 3 (5) of Regulation (EEC) No 2191/81 and Article 3 (3) of Regulation (EEC) No 2192/81 shall read as follows:

‘A voucher shall be valid for the calendar month indicated thereon. Delivery may, however, be made during the period beginning on the 20th day of the preceding month and terminating on the 10th day of the month following the month indicated.’

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 December 1983.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 56.

⁽³⁾ OJ No L 213, 1. 8. 1981, p. 20.

⁽⁴⁾ OJ No L 146, 4. 6. 1983, p. 19.

⁽⁵⁾ OJ No L 213, 1. 8. 1981, p. 24.

COMMISSION REGULATION (EEC) No 3515/83

of 13 December 1983

on the sale by tender, for export to Tunisia, of olive-residue oil held by the Italian intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 1413/82 ⁽²⁾, and in particular Article 12 (4) thereof,

Whereas Article 2 of Council Regulation (EEC) No 2754/78 ⁽³⁾ provides that olive oil held by the intervention agencies is to be put up for sale by tender;

Whereas, pursuant to Article 12 (1) of Regulation No 136/66/EEC, the Italian intervention agency has bought in, since the 1975/76 marketing year, large quantities of olive oil;

Whereas Commission Regulation (EEC) No 2960/77 ⁽⁴⁾, as last amended by Regulation (EEC) No 2041/83 ⁽⁵⁾, laid down the conditions for the sale by tender of olive oil for the Community market and for export; whereas at the moment there is a market for crude olive-residue oil in Tunisia;

Whereas the Community has large quantities of olive-residue oil, held by the Italian intervention agency; whereas some of this oil has been in storage for several years; whereas this oil should be sold by tender and a derogation introduced from Article 1 (2) of the above-mentioned Regulation specifying that exported oil must be directly edible;

Whereas the minimum selling price is so fixed that the Community operators enjoy equal conditions of competition with operators in non-member countries; whereas, accordingly, oil should under this Regulation qualify neither for the export refund provided for in Article 20 of Regulation No 136/66/EEC nor for the consumption aid provided for in Article 11 of the same Regulation;

Whereas Article 20 of Commission Regulation (EEC) No 2730/79 of 29 November 1979 laying down

common detailed rules for the application of the system of export refunds on agricultural products ⁽⁶⁾, as last amended by Regulation (EEC) No 519/83 ⁽⁷⁾, specifies the evidence required to prove importation into non-Community countries;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

The Italian intervention agency 'Azienda di Stato per gli interventi nel mercato agricolo', hereinafter referred to as 'AIMA', shall open an invitation to tender in accordance with the provisions of this Regulation and of Regulation (EEC) No 2960/77 for the sale for export to Tunisia of approximately 2 000 tonnes of olive-residue oil. By way of derogation from Article 1 (2) of Regulation (EEC) No 2960/77 this oil must not have been made edible.

Article 2

The invitation to tender shall be published on 15 December 1983.

Particulars of the lots of oil offered for sale and the places where they are stored shall be displayed at the head office of AIMA, via Palestro 81, Rome, Italy.

A copy of the invitation to tender referred to above shall be sent without delay to the Commission.

Article 3

Tenders must reach AIMA, via Palestro 81, Rome, Italy, not later than 2 p.m. (local time) on 16 January 1984.

Article 4

1. Tenders shall be made for an oil of 15° acidity.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 162, 12. 6. 1982, p. 6.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 13.

⁽⁴⁾ OJ No L 348, 30. 12. 1977, p. 46.

⁽⁵⁾ OJ No L 200, 23. 7. 1983, p. 25.

⁽⁶⁾ OJ No L 317, 12. 12. 1979, p. 1.

⁽⁷⁾ OJ No L 58, 5. 3. 1983, p. 5.

2. Where the oil awarded has a different degree of acidity from that for which the tender was submitted, the price to be paid shall be equal to the price tendered, reduced or increased by Lit 2 682 for each degree or fraction of degree above or below 15°.

Article 5

The minimum selling price for olive-residue oil of 15° acidity shall be Lit 50 000 per 100 kilograms.

Article 6

The oil shall be sold by AIMA not later than 23 January 1984.

AIMA shall supply the agencies responsible for storage with a list of the lots remaining unsold.

Article 7

The security referred to in Article 7 of Regulation (EEC) No 2960/77 shall be 9,50 ECU per 100 kilograms.

The security referred to in Article 12 (3) of Regulation (EEC) No 2960/77 shall be 100 ECU per 100 kilograms of olive-residue oil.

Article 8

The storage charge provided for in Article 15 of Regulation (EEC) No 2960/77 shall be Lit 3 500 per 100 kilograms.

Article 9

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 December 1983.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 3516/83**of 13 December 1983****fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving that region**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1837/80 of 27 June 1980 on the common organization
of the market in sheepmeat and goatmeat⁽¹⁾, as last
amended by Regulation (EEC) No 1195/82⁽²⁾,

Having regard to Commission Regulation (EEC) No
2661/80 of 17 October 1980 laying down detailed
rules for applying the variable slaughter premium for
sheep⁽³⁾, as last amended by Regulation (EEC) No
1689/83⁽⁴⁾, and in particular Articles 3 (1) and 4 (1)
thereof,

Whereas the United Kingdom is the only country
paying the variable slaughter premium; whereas the
United Kingdom has decided to pay it only in Region
5 (Great Britain), within the meaning of Article 3 (1) of
Regulation (EEC) No 1837/80; whereas it is necessary
therefore for the Commission to fix, for the period 21
to 27 November 1983, the level of the premium and
the amount to be charged on products leaving that
region;

Whereas Article 3 (1) of Regulation (EEC) No 2661/80
stipulates that the level of the variable slaughter
premium is to be fixed each week by the Commission
for each Member State concerned or, in the case of the
United Kingdom, for Great Britain;

Whereas Article 4 (1) of Regulation (EEC) No 2661/80
lays down that the amount to be charged on products
leaving the Member States concerned or, in the case of
the United Kingdom, Great Britain shall be fixed
weekly by the Commission for each Member State
concerned and in the case of the United Kingdom for
Great Britain;

Whereas it follows from the application of the rules
laid down in Article 9 (1) of Regulation (EEC) No

1837/80 and in Article 4 (1) and (3) of Regulation
(EEC) No 2661/80 that the variable slaughter premium
for sheep certified as eligible in the United Kingdom,
and the amounts to be charged on products leaving
Great Britain during the period 21 to 27 November
1983, shall be as set out in the Annexes hereto;

Whereas it should be recalled that Commission Regu-
lation (EEC) No 3191/80 of 9 December 1980⁽⁵⁾, as
last amended by Regulation (EEC) No 1267/83⁽⁶⁾,
fixed transitional measures concerning non-recovery of
the variable slaughter premium for sheepmeat and
goatmeat products exported from the Community,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified in Great Britain as
eligible for the variable slaughter premium during the
period 21 to 27 November 1983, the level of the
premium shall be as set out in Annex I hereto.

Article 2

Without prejudice to the provisions of Regulation
(EEC) No 3191/80, for products referred to in Article 1
(a) of Regulation (EEC) No 1837/80 which left Great
Britain during the period 21 to 27 November 1983,
the amounts to be charged shall be as set out in
Annex II hereto.

Article 3

This Regulation shall enter into force on the day of its
publication in the *Official Journal of the European
Communities*.

It shall apply with effect from 21 November 1983.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 22.

⁽³⁾ OJ No L 276, 20. 10. 1980, p. 19.

⁽⁴⁾ OJ No L 165, 24. 6. 1983, p. 23.

⁽⁵⁾ OJ No L 332, 10. 12. 1980, p. 14.

⁽⁶⁾ OJ No L 133, 21. 5. 1983, p. 59.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 December 1983.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX I

Level of variable slaughter premium for certified sheep in Great Britain for the week commencing 21 November 1983

Description	Premium
Certified sheep or sheepmeat	121,762 ECU per 100 kilograms of estimated or actual dressed carcase weight ⁽¹⁾

⁽¹⁾ Within the weight limits laid down by Great Britain.

ANNEX II

Amount to be charged for products leaving Great Britain during the week commencing 21 November 1983

		(ECU/100 kg)
CCT heading No	Description	Charge
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight
		57,228
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	121,762
	2. Short forequarters	85,233
	3. Chines and/or best ends	133,938
	4. Legs	158,291
	5. Other :	
	aa) Unboned (bone-in)	158,291
02.01 A IV b)	bb) Boned or boneless	221,607
	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	91,322
	2. Short forequarters	63,925
	3. Chines and/or best ends	100,454
	4. Legs	118,719
	5. Other :	
02.06 C II a)	aa) Unboned (bone-in)	118,719
	bb) Boned or boneless	166,206
	Meat of sheep or goats, salted in brine, dried or smoked :	
	1. Unboned (bone-in)	158,291
	2. Boned or boneless	221,607

COUNCIL REGULATION (EEC) No 3517/83

of 12 December 1983

fixing the activating prices for table wines for the period 16 December 1983 to 31 August 1984

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1595/83 ⁽²⁾, and in particular Article 3 (1) thereof,

Having regard to the proposal from the Commission,

Whereas an activating price is to be fixed annually, in the light of the factors listed in Article 3 (2) of Regulation (EEC) No 337/79, for each type of wine for which a guide price is fixed;

Whereas the quality of the harvest for the 1983/84 wine-marketing year must, generally speaking, be regarded as good;

Whereas the prices for table wines of types R I and R II have on the whole increased but are still below the activating price; whereas the prices for table wines of type A I, although in general continuing the improvement begun several years ago, have finished the marketing year below the activating price; whereas the fall in prices for table wines of types A II and A III which has brought them below the activating prices is a result of the exceptionally large harvest in the regions where they are produced; whereas the prices for table wines of type R III have for the same reason fallen considerably but have finished the marketing year still comfortably above the activating price;

Whereas, because of the large 1983 harvest and the stocks, the total quantity available is higher than for an average marketing year;

Whereas the factors mentioned above must be reflected in the level of the activating prices; whereas the activating prices fixed for the past marketing year should therefore be increased but not to such an extent as to stimulate production;

Whereas the guide prices were fixed by Regulation (EEC) No 1596/83 ⁽³⁾ for the period 16 December 1983 to 31 August 1984; whereas, under Article 3 (3) of Regulation (EEC) No 337/79, the activating prices are to be fixed at the same stage and are valid for the same period as the guide prices; whereas the types of table wine to which these prices apply were determined by Regulation (EEC) No 340/79 ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The activating prices for table wines for the period 16 December 1983 to 31 August 1984 shall be as follows:

Type of wine	Activating price
R I	3,19 ECU/% vol/hl
R II	3,19 ECU/% vol/hl
R III	49,84 ECU/hl
A I	2,92 ECU/% vol/hl
A II	65,13 ECU/hl
A III	74,37 ECU/hl

Article 2

This Regulation shall enter into force on 16 December 1983.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 12 December 1983.

For the Council

The President

C. SIMITIS

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 48.

⁽³⁾ OJ No L 163, 22. 6. 1983, p. 51.

⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 60.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 6 December 1983

relating to a proceeding under Article 85 of the EEC Treaty
(IV/30.099 — Schlegel/CPIO)

(Only the English and French texts are authentic)

(83/622/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 17 of 6
February 1962: First Regulation implementing
Articles 85 and 86 of the Treaty ⁽¹⁾, as last amended by
the Act of Accession of Greece, and in particular
Articles 2, 4, 6 and 8 thereof,

Having regard to the application for negative clearance
pursuant to Article 2 of Regulation No 17 made to the
Commission on 16 February 1983 by Schlegel Corpo-
ration of New York (Schlegel) and Compagnie des
produits industriels de l'ouest SA of Nantes (CPIO)
concerning a Know-How Communication Agreement
dated 10 December 1979,

Having regard to the notification pursuant to Article 4
(1) of Regulation No 17 made to the Commission on
20 May 1980 by Schlegel and CPIO of an agreement
dated 10 December 1979 concerning the purchase and
use of an upstream product supplied by Schlegel for
the manufacture of weatherseals for motor vehicles,

Having regard to the Commission decision of 28 July
1983 to open the proceeding,

Having regard to the publication ⁽²⁾ of the summary of
the application and notification pursuant to Article 19
(3) of Regulation No 17,

After consultation with the Advisory Committee on
Restrictive Practices and Dominant Positions,

Whereas :

I. THE FACTS

- (1) Schlegel is a manufacturer of rubber and plastic
products, which produces weatherseals for
motor vehicles, which are used around door
openings, windows or other openings. Schlegel
has developed a new product, the wire carrier
product, which is a metallic and textile element
designed to strengthen weatherseals for motor
vehicles. The weatherseals containing wire
carrier permit car manufacturers to use the
flange-mounted attaching method and allow a
more automated production process.
- (2) CPIO, which is a wholly-owned subsidiary of
Régie Renault, is mainly a manufacturer of
moulded part products in rubber and plastic.
CPIO first started buying completed standard
weatherseals from Schlegel with wire carrier
already inserted. CPIO has since started itself to
manufacture weatherseals, using wire carrier and

⁽¹⁾ OJ No 13, 21. 2. 1962, p. 204/62.

⁽²⁾ OJ No C 208, 4. 8. 1983, p. 7.

know-how from Schlegel for the production of automotive weatherseals, the wire carrier being produced to its own specifications. The Schlegel know-how for the production of weatherseals was a new technology for CPIO, to which it could not have had access without Schlegel's cooperation.

A. The Know-How Communication Agreement

- (3) The Know-How Communication Agreement was concluded on 10 December 1979 for a period of seven years. By that agreement, Schlegel grants CPIO a non-exclusive right to use its methods and industrial processes for the manufacture of automotive weatherseals (Schlegel know-how) in consideration of payment of periodic royalties. On the basis of this Agreement and an amendment thereto dated 5 April 1983, CPIO has the right to manufacture in all EEC countries and sell worldwide weatherseals incorporating Schlegel know-how.

B. The Agreement concerning the purchase and use of Schlegel wire carrier

- (4) Schlegel and CPIO further agreed on 10 December 1979 that for a period of five years commencing 1 April 1980, CPIO is required to use and purchase exclusively Schlegel wire carrier for the production of its weatherseals for motor vehicles. This obligation, however, lapses if and to the extent that solely for technical reasons approved by Schlegel, wire carrier is not a feasible weatherseal strengthening element or CPIO's customers do not use the flange-mounted attaching method for weatherseals in their motor vehicles.

If Schlegel fails to deliver the wire carrier, CPIO becomes immediately free to purchase from other sources and if such failure continues, CPIO has the right to terminate the agreement. Schlegel is free to sell wire carrier to any other customers in France or elsewhere. CPIO is free to resell the wire carrier to third parties within the EEC. The wire carrier purchased by CPIO is, however, primarily designed to be inserted by CPIO in automotive weatherseals. CPIO has no obligation to promote the sale of wire carrier as a separate commodity.

- (5) The parties have agreed that the Know-How Communication Agreement does not depend on the legal validity of the purchase and use agreement for wire carrier.

C. The market

- (6) Schlegel, whose total turnover in the year 1982 amounted to US\$...⁽¹⁾, has several European branches and owns manufacturing plants in England, Germany, Spain and Ireland. Its Irish plant is a new plant for the production of wire carrier, the capacity of which amounts to ... metres per year. Like most other weatherseal manufacturers, Schlegel developed wire carrier initially for use in its own production of weatherseals. The sale of wire carrier as a separate commodity is a relatively new business in the EEC.
- (7) CPIO's total turnover in the year 1982 amounted to FF ... One of its major customers is Renault. So far, CPIO has sold its weatherseals manufactured with Schlegel wire carrier mainly to Renault France and Renault Industrie Belgique.
- (8) The demand for wire carrier or substitute products depends directly on the demand for weatherseals, which in turn depends on the planned production of vehicles. Given the size of the European vehicle market, the demand for wire carrier and other weatherseal strengthening elements is substantial (the total European market for completed weatherseals as estimated by Schlegel for the year 1980 amounted to US\$ 215 million). In the EEC, there are a great number of producers of weatherseals which supply or could supply the car manufacturers. The whole rubber industry, numbering many manufacturers, must be considered as potential suppliers in this market. To the extent that they are not manufactured by the producers of weatherseals themselves, the weatherseal strengthening elements can also be supplied by a great number of manufacturers.
- (9) As regards France, Schlegel estimated the total French demand for weatherseal strengthening elements in 1982 at 46 million metres per year (on the basis of 15,5 metres per passenger car and nine metres per commercial vehicle). Of this total demand, Renault accounted in 1982 for about ... metres per year. In the same year CPIO supplied about ... metres to the French automobile industry which represents about 12 % of the total French demand and ... % of Renault's demand.

⁽¹⁾ In the published version of this Decision, some data have hereinafter been omitted, pursuant to the provisions of Article 21 of Regulation No 17 concerning non-disclosure of business secrets.

- (10) Following the publication of the summary of the above two agreements in the *Official Journal of the European Communities*, the Commission received no observations from third parties.

II. LEGAL ASSESSMENT

A. The Know-How Communication Agreement

- (11) The conditions for the grant of negative clearance pursuant to Article 2 of Regulation No 17 are fulfilled. On the basis of the facts in the Commission's possession, there are no grounds under Articles 85 (1) or 86 of the Treaty for action on its part in respect of the Know-How Communication Agreement.
- (12) The Know-How Communication Agreement contains no provisions which have as their object or effect the prevention, restriction or distortion of competition within the common market. The agreement on the use of Schlegel's methods and industrial processes for the manufacture of automotive weatherseals is non-exclusive and leaves CPIO free to manufacture the weatherseals in any country of the EEC and sell them worldwide. The prohibition on manufacture of weatherseals outside the common market — if it is a restriction at all — would not restrict competition inside the common market appreciably.
- (13) There are no grounds in the present case to believe that Schlegel or CPIO might abuse by virtue of this agreement an existing dominant position within the common market or in a substantial part of it.

B. The Agreement concerning the purchase and use of Schlegel wire carrier

- (14) The exclusive purchase and use agreement has as its object and effect the prevention, restriction or distortion of competition within the common market and may affect trade between Member States. However, the prohibition contained in Article 85 (1) may be declared inapplicable in the present case in accordance with Article 85 (3).
- (15) An agreement, by which — as in the present case — production planning is secured by exclusive purchase and use obligations, so that the possibility of changing suppliers is post-

poned for a period of five years (the duration of this agreement), goes beyond normal long-term sales agreements and falls within Article 85 (1) for the following reasons.

Because CPIO has the obligation to use Schlegel wire carrier during a period of five years for the manufacture of weatherseals CPIO is limited in its freedom to use, buy, develop or manufacture an alternative product. CPIO's obligation to purchase its full requirements of wire carrier for a period of five years from Schlegel has a similar effect.

- (16) The agreement also has the effect of reserving an appreciable part of the weatherseal demand for Schlegel, because Régie Renault purchases from CPIO a substantial part of its weatherseal requirements (approximately ... %), which represents approximately 12 % of the total French market (see paragraph 9 above). This agreement closes this part of the weatherseal market to other EEC suppliers for a period of five years.
- (17) The restrictions contained in this agreement affect trade between Member States since a great number of manufacturers of weatherseals and weatherseal strengthening elements would be able to supply these products from other EEC countries.
- (18) The agreement fulfils the requirements laid down in Article 85 (3).

The agreement contributes to improving production and distribution and to promoting technical and economic progress.

In the automobile industry, where it is necessary to plan series production in advance, long-term agreements for the supply of components are indispensable and normal practice for both car manufacturers and their suppliers. Where, as in this case, production planning is secured by exclusive purchase and use obligations, such commitment rationalizes the production of the supplier and of the car manufacturer. It further rationalizes the continuing process of delivery and reception of goods. This applies also to the present case where the wire carrier, which is manufactured to CPIO's own specifications, is integrated in watherseals by an intermediary component manufacturer, namely CPIO, so that weatherseals of consistent quality can be supplied continuously to the car manufacturers. Greater production quantities also permit continuous improvement of the product concerned

and of its manufacturing process, because a sufficient return is possible only with certain minimum quantities. The exclusive purchase and use agreement offers the further advantage that long-term planning of supplies will enable CPIO and Schlegel better to meet vehicle manufacturers' requirements for weatherseals.

- (19) The expected advantages of this agreement outweigh the anti-competitive effects of the exclusive obligations to use and purchase wire carrier from Schlegel. The restrictions on competition resulting from the agreement are also indispensable within the meaning of Article 85 (3). It cannot be supposed that the same advantage could be achieved with less restrictive obligations. The five-year exclusive purchase and use contract does not exceed what is necessary to achieve these advantages. The agreement provides also that CPIO is not obliged to use and purchase Schlegel wire carrier where for technical reasons wire carrier is not a feasible weatherseal strengthening element (see paragraph 4 above).
- (20) The agreement allows consumers a fair share of the resulting benefit within the meaning of Article 85 (3). This follows from the fact that in this market effective competition for supply exists, which is no doubt reflected in the agreed purchase price for the wire carrier. The benefits resulting from the rationalization of Schlegel's an CPIO's production (see paragraph 18 above) must also benefit the car manufacturers and final consumers, because CPIO is in a very competitive market for weatherseals. This will be reflected in CPIO's sales prices for weatherseals.
- (21) The agreement does not afford the parties the possibility of eliminating competition in respect of a substantial part of the products in question. From paragraph 8 above it can be seen that there is an important demand for and supply of weatherseals and weatherseal strengthening elements in the common market. The secret technical processes of Schlegel do not constitute a barrier to the entry of competitors in this market. Given this situation, it cannot be expected that the market tied up by the Schlegel-CPIO agreement will be a significant part of the total market of the products

concerned within the EEC. In addition, where CPIO's customers, the vehicle manufacturers, do not want to use weatherseals containing Schlegel wire carrier for technical reasons, CPIO is no longer committed to purchase the wire carrier (see paragraph 4 above),

HAS ADOPTED THIS DECISION:

Article 1

Pursuant to Article 2 of Regulation No 17 and on the basis of the facts in its possession, the Commission hereby certifies that there are no grounds under Articles 85 (1) and 86 for action on its part in respect of the Know-How Communication Agreement dated 10 December 1979, concluded between Schlegel Corporation of New York and Compagnie des produits industriels de l'ouest SA of Nantes and amended on 5 April 1983.

Article 2

Pursuant to Article 85 (3) of the Treaty, the provisions of Article 85 (1) are hereby declared inapplicable for the period 20 May 1980 to 31 March 1985 to the Wire Carrier Purchase Agreement dated 10 December 1979 and concluded between Schlegel Corporation and Compagnie des produits industriels de l'ouest SA.

Article 3

This Decision is addressed to the following undertakings:

1. Schlegel Corporation, 400 East Avenue, PO Box 23 113, Rochester, NY 14692 — USA;
2. Compagnie des produits industriels de l'ouest SA, Nantes, Z.I. de Nantes — Carquefou, BP 1226, F-44023 Nantes Cedex.

Done at Brussels, 6 December 1983.

For the Commission

Frans ANDRIESEN

Member of the Commission

CORRIGENDA**Corrigendum to Council Regulation (EEC) No 3333/83 of 4 November 1983 amending
Regulation (EEC) No 950/68 on the Common Customs Tariff**

(Official Journal of the European Communities No L 313 of 14 November 1983)

Page 52, footnote (b):

for: '(b) Duty rate reduced to 30 % (suspension) for an indefinite period.'

read: '(b) Duty rate reduced to 3 % (suspension) for an indefinite period.'

Page 54, subheading 09.02 A, column 4:

for: '3',

read: '5'.

Page 322, heading No 84.08:

for: 'C. Parts :',

read: 'D. Parts :'.

Page 359, subheading 91.04 B, column 4:

for: '7,6',

read: '7'.

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